

69/ 553012

**DECLARATION AND POWER OF ATTORNEY FOR
PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**SYSTEM AND METHOD FOR SELLING
ADVERTISING SPACE ON ELECTRONIC BILLBOARDS
OVER THE INTERNET**

the specification of which (check one)

- ☒ is attached hereto.
- ☐ was filed on _____
as Application Serial No. _____
and was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

 ☐ Yes ☐ No
 (Number) (Country) (Day/Month/Year)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/130,602</u>	<u>04/22/99</u>	<u>Provisional</u>
(Application Serial #)	(Filing Date)	(Status)
<u>60/147,673</u>	<u>08/06/99</u>	<u>Provisional</u>
(Application Serial #)	(Filing Date)	(Status)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

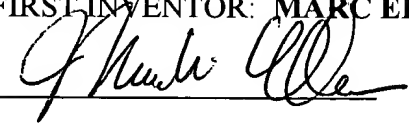
Kelly K. Kordzik, Reg. No. 36,571; Barry S. Newberger, Reg. No. 41,527; Ross S. Garsson, Reg. No. 38,150; James J. Murphy, Reg. No. 34,503; Bill R. Naifeh, Reg. No. 44,962; Henry L. Ehrlich, Reg. No. 39,663; Dwayne Mason, Reg. No. 38,959; Charles J. Rogers, Reg. No. 38,286; and Robert C. Shaddox, Reg. No. 34,011.

Send correspondence to: Kelly K. Kordzik, Winstead Sechrest & Minick, 100 Congress Avenue, Suite 800, Austin, TX 78701 and direct all telephone calls to Kelly K. Kordzik at (512) 370-2851.

12179-P081US

PATENT

FULL NAME OF SOLE OR FIRST INVENTOR: MARC ELLER

INVENTOR'S SIGNATURE: 

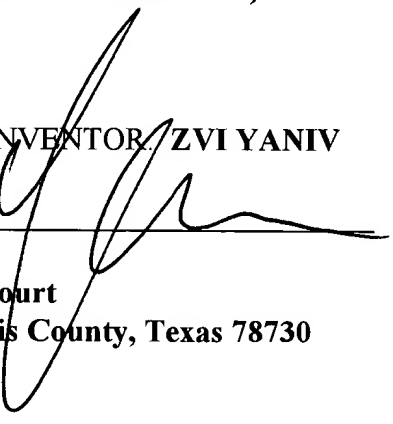
DATE: 4/19/00

RESIDENCE: 6615 Brookshire Drive
Dallas, Dallas County, Texas 75230

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

FULL NAME OF SECOND INVENTOR: ZVI YANIV

INVENTOR'S SIGNATURE: 

DATE: 4/20/00

RESIDENCE: 5810 Long Court
Austin, Travis County, Texas 78730

CITIZENSHIP: U.S.A.

POST OFFICE ADDRESS: (Same as Residence)

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207:12179-P081US

Applicants: Marc Eller, Zvi Yaniv

Attorney's Docket
No. 12179-P081US

Serial No:

Filed: (herewith)

Title: SYSTEM AND METHOD FOR SELLING ADVERTISING SPACE ON ELECTRONIC BILLBOARDS OVER THE INTERNET

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§ 1.9(f) and 1.27(c)) -- SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: SI Diamond Technology, Inc.

Address of Small Business Concern: 3006 Longhorn Blvd., Suite 107, Austin, Texas 78758

I hereby declare that the above-identified small business concern qualifies as a small business concern, as defined in 37 C.F.R. § 1.21, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in

☒ the specification filed herewith, with title as listed above.

☐ the application identified above.

☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor(s), who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), if the person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

Each such person, concern or organization having any rights in the invention is listed below:

☒ No such person, concern, or organization exists.

☐ Each such person, concern or organization is listed below:

Name: (N/A)

Address: _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Name: (N/A)

Address: _____
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Zvi Yaniv

Title of Person, if Other Than Owner: President and Chief Operating Officer

Address of Person Signing: 3006 Longhorn Blvd., Suite 107, Austin, Texas 78758

SIGNATURE: _____

Date: 4/20/00